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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,622

03/30/2005

John D. Cleary

11636N/1550US

1994

32885

7590

10/02/2009

STITES & HARBISON PLLC
401 COMMERCE STREET
SUITE 800
NASHVILLE, TN 37219

EXAMINER

PESELEV, ELLI

ART UNIT

PAPER NUMBER

1623

NOTIFICATION DATE

DELIVERY MODE

10/02/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

richard.myers@stites.com

francine.vanaelst@stites.com

Interview Summary	Application No. 10/529,622	Applicant(s) CLEARY ET AL.	
	Examiner Elli Peselev	Art Unit 1623	

All participants (applicant, applicant's representative, PTO personnel):

(1) Elli Peselev. (3) John D. Cleary.

(2) Richard S. Myers. (4) ____.

Date of Interview: 28 September 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1,3-6,8 and 17-24.

Identification of prior art discussed: U.S. Patents 4,663,167, 4,902,789 and 4,308,375.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The attorney will make it more clear on the record that the purity of the commercial amphotericin B includes a mixture of polyenes. With respect to the claimed purity of at least 95% and at least 94%, the attorney argued that the court case supports the claimed invention. Applicant's arguments will be given due consideration when received.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Elli Peselev/ Primary Examiner, Art Unit 1623	
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